

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

LARRY I. NEWKIRK and RUTH A. NEWKIRK,

Plaintiff,

vs.

CONAGRA FOODS, INC., a Delaware
corporation, *et al.*,


Defendants.

No. CV-08-273-RMP

NOTICE OF APPEAL

Notice is hereby given that Dr. David Egilman, expert witness for plaintiffs Larry and Ruth Newkirk in the above named case, hereby appeals to the United States Court of Appeals for the Ninth Circuit from the Judgment and Memorandum Opinion and Order entered in this action on July 2, 2010 in which the Court granted defendant ConAgra Food, Inc.'s motions to exclude the testimony of Dr. Egilman.

DATED this 28th day of July, 2010.



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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the Notice of Appeal with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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DATED: July 28, 2010, at Tukwila, Washington.



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